

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

TIZAZU F. AREGA,

Petitioner,

v.

**WARDEN, CHILLICOTHE
CORRECTIONAL INSTITUTION,**

Respondent.

**Case No.: 2:18-cv-942
JUDGE GEORGE C. SMITH
Magistrate Judge Deavers**

OPINION AND ORDER

On October 19, 2018, the Magistrate Judge issued a *Report and Recommendation* (“*R&R*”) recommending that the petition for a writ of habeas corpus, (ECF No. 1), be denied. (ECF No. 2.) Although the parties were advised of the right to object to the *R&R*, and of the consequences of failing to do so, no objections have been filed. The *R&R* (ECF No. 2) is therefore, **ADOPTED** and **AFFIRMED**. The petition for a writ of habeas corpus (ECF No. 1) is **DENIED** and this case is **DISMISSED**.

Pursuant to 28 U.S.C. § 2253(c)(1)(A), the Court must also assess whether to issue a certificate of appealability. Rule 11 of the Rules Governing Section 2254 Proceedings for the United States District Courts states that “[t]he district court must issue or deny a certificate of appealability when it enters a final order adverse to the applicant.” However, Petitioner has waived the right to file an appeal by failing to file objections to the Magistrate Judge's recommendations. *See Thomas v. Arn*, 474 U.S. 140, 147 (1985); *United States v. Walters*, 638 F. 2d 947, 950 (6th Cir. 1981). The Court therefore **DECLINES** to issue a certificate of appealability.

IT IS SO ORDERED.

/s/ George C. Smith
GEORGE C. SMITH, JUDGE
UNITED STATES DISTRICT COURT